

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY Wife D.C.

05 AUG -2 PM 5:42

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 05-20142 B

CALVIN MCNARY,

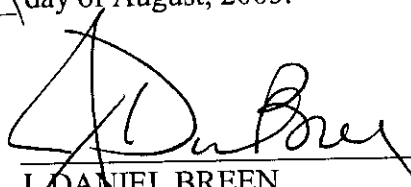
Defendant.

ORDER STRIKING FROM THE DOCKET
DEFENDANT'S AUGUST 1, 2005 PRO SE FILING

On July 20, 2005, the Court, for the second time, dismissed a pro se motion filed by the Defendant, Calvin McNary, who is represented by counsel.¹ Before the Court is a third pro se motion filed by the Defendant on August 1, 2005. In its July 20 order, the Court admonished the Defendant that "further pro se filings while he is represented will be stricken from the Court's docket." (Order Denying Defendant's Pro Se "Motion to Dismiss for Lack of Prosecution" at 1.) Accordingly, as it appears from the Court's file that counsel has not been terminated, the Defendant's August 1, 2005 filing is hereby STRICKEN from the docket.

¹See LR83.1(d), Local Rules of the U.S. Dist. Ct. for the W. Dist. of Tenn. ("[a] party represented by counsel who has appeared in a case may not act on his or her own behalf unless that party's attorney has obtained leave of the court to withdraw as counsel of record, provided that the court may, in its discretion, hear a party in open court, notwithstanding the fact that the party is currently represented by counsel of record.")

IT IS SO ORDERED this 22 day of August, 2005.



J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 59 in case 2:05-CR-20142 was distributed by fax, mail, or direct printing on August 3, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT